

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
CIVIL MINUTE ORDER**

Case Title : LONNIE ELDON SMITH

Case No : 15-28051 – B – 7

Date : 01/05/2016

Time : 09:30

Matter : [26] – Motion for Relief from Automatic Stay [PPR-1] Filed by Creditor The Bank of New York Mellon (Fee Paid \$176) (eFilingID: 5686629) (Itas)
[26] – Motion/Application for Adequate Protection [PPR-1] Filed by Creditor The Bank of New York Mellon (Itas)

Judge : Christopher D. Jaime

Department : B

Courtroom Deputy : Danielle Mobley

Reporter : Electronic Record

APPEARANCES for :

Movant(s) :

None

Respondent(s) :

None

CIVIL MINUTE ORDER

Findings of fact and conclusions of law having been stated orally on the record and good cause appearing.

IT IS ORDERED that the motion is granted. The automatic stay is vacated with respect to the property described in the motion, commonly known as: 729 Cessna Avenue, Chico, California 95928, as to all parties in interest. Any party with standing may pursue its rights against the property pursuant to applicable non-bankruptcy law.


The court determines that this bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 and the enforcement of the note and deed of trust described in the motion against the subject real property. Further, upon entry of the order granting relief from the automatic stay, the movant and its successors, assigns, principals, and agents shall comply with Cal. Civil Code § 2923.52 et seq., the California Foreclosure Prevention Act, to the extent it is otherwise applicable.

IT IS FURTHER ORDERED that the request for waiver of Fed. R. Bank. P. 4001(a)(3) is denied and the 14 day stay is not waived.

All requests for attorney fees or other costs are denied with prejudice.

No other relief is authorized. Resolved without oral argument.

Dated: January 07, 2016



Christopher D. Jaime, Judge
United States Bankruptcy Court